

Remarks

Claims 16 and 17 were allowed. Claim 11 has been canceled. No new claims have been added. Claims 1- 8, 12- 15 were rejected on new grounds. Reconsideration of all rejected claims is requested at this time on the grounds set forth below. Claim 9 was objected to, but allowable if written in independent form. Since rejections are traversed, the Applicant elects not to amend claim 9 into independent form at this time. Each of pending claims is believed to be in condition for allowance. Accordingly, an action to the effect is requested at this time.

Claim Rejections – 35 USC §102:

“A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *Verdegaal Bros. v. Union Oil Co. of California*, 814 E2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

Claims 1-4 and 7 were rejected under 35 USC 102(b) as being anticipated by Losenno (USPN 4159773). The Applicant wishes to point out that the clip disclosed in Losenno is not “substantially cylindrical” as described in claims 1-4 and 7. As a result, Losenno’s clip could not perform the function of the device claimed in this application. Particularly, the clip disclosed in Losenno pinches partially on two opposing sides of a tool that the clip is designed to hold. There are openings on the top and bottom sections of the clip (in cross-section view). If the clip were made to pinch on a grill rod, the clip would only have contact with two sides of the grill rod. The top section of a grill could not be scraped or cleaned by Losenno’s clip. Therefore, the clip could not be used to effectively clean a grill rod. Since Losenno failed to teach “substantially cylindrical” clip member, the Applicant respectfully requests that the rejection be withdrawn.

Claims 1 and 8 were rejected as being anticipated by Bartleman (USPN 2615577). Bartleman failed to teach “thin and elastically deflectable wall member”. Furthermore, the “tool holder A” disclosed in Bartleman is only loosely placed into a slot of a “rack

bar”, as opposed to “securely attached” to a main body. As a result, the “tool holder A” would separate from the “rack bar” if the device were made to slide back and forth on a grill rack in an attempt to perform cleaning task. Since Bartleman failed to teach every element in claims 1 and 8, the Applicant respectfully requests that the rejection be withdrawn.

Claim Rejections – 35 USC §103:

The following is a quotation from MPEP §2142:

“To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant’s disclosure.”

Claims 1,4,8 and 10 were rejected as being unpatentable over Adams (USPN 4209098) in view of Bisping et al. (USPN 4119285) Bisping et al. disclosed “a clip for holding pipe, cable and the like on a support member with the clip consisting of a pair of jaws and an elastically deformable base portion interconnecting the jaws.” (column 1, line 5-8). Such clip is not “substantially cylindrical.” Particularly, the clip could not scrape or clean the top section of a grill rod, and therefore would not function in a grill rack cleaner. Additionally, there is not teaching or suggestion of a grill rack cleaning device having a plurality of clip members, or sizing the clip members to match the cross-section of metal rod in a grill rack. The Applicant submits that a *prima facie* case of obviousness has not been properly established on the ground that not all claim limitations are found or suggested in the prior arts. Withdraw of the rejection is thus respectfully requested.

Claims 10, 12 and 15 were rejected as being unpatentable over Losenno in view of Kendrena (USPN 5687856). Losenno failed to disclose a “substantially cylindrical” clip member suitable for cleaning a grill rack as mentioned earlier in this response. The combination of Losenno and Kendrena therefore would not function as a grill rack cleaner as claimed. The Applicant respectfully submits that the rejection be withdrawn.

Claims 5-6 were rejected as being unpatentable over Bartleman or Losenno or Adams in view of Bisping. All of the cited references teach tool holding devices. There is no suggestion or motivation in the prior art to use a “substantially cylindrical” clip member in grill rack clean device as claimed in claims 5-6 of the application. Additionally, there is not teaching or suggestion of sizing a substantially cylindrical clip member to match the cross-section of a grill rack, or having a thin and elastically deflectable wall member adapted to cut and scrape off deposits on a grill rack. The Applicant thus respectfully requests withdraw of the rejection on the grounds that the cited references are non-analogous arts and they failed to teach or suggest all claim limitations.

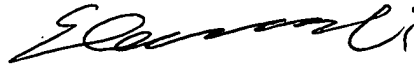
Claim 13 was rejected as being unpatentable over Losenno in view of Kendrena or Adams in view of Bisping. The Applicant submits that the cited references failed to teach or suggest “substantially cylindrical” clip member or thin and elastically deflectable wall member as claimed in claim 13. On the same ground mentioned in last paragraph, the Applicant respectfully request that the rejection be withdrawn.

Claim 14 was rejected as being unpatentable over Losenno in view of Kendrena or Adams in view of Bisping. Although the cited references taught several means and structures of integrating tool holding elements into a device, spot-welding clip members to screws was not taught or suggested. Such specific structural element is thus patentably distinct from the prior art. The Applicant respectfully submits that a prima facie case of obviousness was not properly established by the Office Action and the rejection should be withdrawn.

In summary, the Applicant respectfully requests that all the remaining claims be passed to issue. While an attempt has been made to address all outstanding issues, to any extent that one or more issues remain, the undersigned respectfully requests a telephone conference to resolve such issues.

Respectfully submitted,

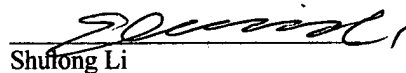
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